EXTRADITION

The Note of Secretary Fish, of March 31, on the Winslow Case.

DETAILS OF THE LAWRENCE CASE.

Can the Terms of a Colemn Treaty Be Changed by Legislative Enactment?

A NEW CLAIM BY GREAT BRITAIN.

Winslow's Surrender Demanded Without Conditions.

WASHINGTON May 8, 1876. The following is the letter of Secretary Fish in the slow extradition case, which our Charge d'Affaires at London was directed to present to the attention of Lord Derby. The reply of the British Minister has not

ord Derby. The reply of the British Minister has not et been received:—

[No. 864.]

WASHINGTON, MARCH. 31, 1876.]

FIGKHAM HOFFMAN, Esq., &c., &c., &c. &c. —

Six.—Referring to previous correspondence in referance to the extradition of Winslow, in custody in Longa. 39, under date of March 10, enclosing a note adressed to you by Lord Derby, of March 8, and your rely of the same day. With General Schenck's No. 884 as enclosed a note from Lord Derby, dated February, in which it was stated that Her Majesty's Secrety of State for the Home Department had rawn attention to subsection 2 of the third section of the British Extradition act of 1870, and feared that the claim by this government of the ight to try Lawrence (who had been recently sureddered) for crimes other than that for which he had een extradited, amounts to a denial that any such law

the Home Office to the case of Lawrence needs possibly a passing remark.

Charles I. Lawrence is charged with a series of forgerles whereby the government of the United States claims to have been defrauded to an amount not far short of \$2,00,000 on Custom House entries. He is supposed to have numerous and influential confederates, both in this country and in England, who are suspected of having shared in the spoils resulting from them alleged frauds upon this government. A large number of indictments have been found against Lawrence, and proceedings either civil or criminal are either pending or imminent against supposed accompines. It is supposed that prosecution of these cases might possibly disclose names on either side of the Atlantic in connection with the alleged frauds not yet brought before the public. In the spring of 1875 Lawrence fied and escaped to Europe, and was arrested under the assumed name of Gordon, at Queenstown, on a requisition for his surreader under the treaty. There were proved (as I am informed) before 5ir Thomas Henry, in London, twelve or thirteen distinct charges of torgery, each on papers connected with a different invoice of goods. The representatives of this government supposed the extradition was made on all the charges, but the letter or report of Sir Thomas Henry to the British Home Office led to the issue of a warrant of surrender of Lawrence on a single charge of forging a bond and allidavia, on which warrant the keeper of the jail delivered Lawrence to the agent appointed by the President to receive him. The terms of the warrant vere not known to any agent or officer of this government (as is represented on some tweive or thirteen charges of forgery, the warrant of surrender seems to be contined to the forging a bond and allidavia, on which warrant the keeper of the jail delivered Lawrence to the agent appointed by the President to receive him. The terms of the warrant vere not known to any agent or officer or this government (as is represented on some tweive or thirteen ch

iradition crimes proved by the facts in evidence before Sir Thomas Henry and on which his surrender was based.

Although not arraigned on any other indictment than for the lorgery for which he was extradited, the British Home Office has raised the question that he may possibly be tried upon other charges and for other trimes. It seems, therefore, that the Home Office of Great Britain undertakes to decide what is the law of the United States, as well as of Great Britain, and assumes that the law of the United States, as well as the general law of extradition and the Extradition and of Great Britain, prevent the trial of a criminal surrendered under the treaty of 1842 for any offence other than the particular offence for which he was extradited, and the position which it takes involves the assumption that, in demanding an extradition under the ireaty, the United States is bound by the provisions of the act of 1850, whether in conflict with the treaty or not, and it canims to have "supposed" that an "effective arrangement was in force," that no criminal so surrendered should be tried for any other than the particular extradition offence, on the faith of which arrangement is claimed that surrenders have heretofore been made and without which it is now said that a surrender would not be possible under the English act; but, as aiready said, nothing is adduced in support of the belief of the existence of such supposed arrangement. These positions are so different from the understanding of this government and so opposed to the views which it was supposed were entertained by Great Britain, and which have been asserted in diplomatic correspondence and been recognized in Judicial decisions in that as in this country and set forth by writers on extradition have that I learn from Lord Derby's tote with surprise, equal to my regret, that they appear to be supported by the Poregn Office.

my regret, that they appear to be supported by the Foreign Office.

THE ACT OF AUGUST 12, 1848
reproduced in the Revised Statutes (Section 5,270 to 5,276) referred to in the correspondence, does not affect of limit the rights of the two governments on the question. This act is simply a general act for carrying into effect treaties of extradition. It provides the machinery, and prescribes the general mode of procedure, but does not assume to determine the rights of the United States, or of any other state, which are governed wholly by the particular provisions of the several treaties, nor to limit or construe any particular treaty. In some few treaties between the United States and loreign countries provisions exist that the criminal shall not be tried for offences committed prior to extradition other than the extradition crimé, and in others no such provision is included.

Again, under some treaties the citizens or subjects of the contracting powers are reciprocally exempt from being surregulered, while others contain no such exception.

It would appear, therefore, by the judicial decisions, by the practice of both governments, and by the understanding of the persons most faminiar with proceedings in such cases, and the most competent to judge, that where a criminal has been in good fath extradited for an offence within the treaty, there is no agreement, expressed or implied, that he may not also be tried for another affence, of which he is charged, although not an extradition offence. He is in fact (in accordance with the language of the treaty) "delivered up to justice;" and in the absence of any limitation by treaty, to "justice' generally, each independent state being the judge of its own administration of justice. Surely Great Britain will not allow the Legislature of another State to prescribe or to limit the cases or the manner in which justice is to be administered in her courts, and she will not expect the United States to be less tenacious of its independence in this regard. Now for the first time since the sizining of the treaty of 1842 Great Britain raises the question of her right to demand from the United States, as a condition of the execution by Great Britain of her engagement to surrender a lugative criminal charged with a series of stupendous torgeries, a stipulation, or agreement not provided for in the treaty, but asked on the ground of an act of Parliament passed some twenty-eight years after the treaty had been in force, and prescribes it as one of the rules or conditions which about apply to arrangements for extradition when made with a foreign State. This involves the question whether one of the parties to a treaty can change and alter its terms or construction, or attach new conditions to be demanded of the United States before comprisince by Her Majesty's government with the terms of the other—whether an act of the United States before comprisince by Her Majesty's government with the terms of the reaty as they have been shown to have been uniformly understood and executed by both governments for the third of a century. It would appear, therefore, by the judicial dec

the United States before compliance by Her Majesty's government with the terms of the treaty as they have been shown to have been uniformly understood and executed by both governments for the third of a century.

As this government does not recognize any efficacy in a British statute to alter or modity or to attach new conditions to the executory parts of a previously existing treaty between the United States and Great Britain, I do not feel called upon to examine particularly the provisions of the faw of 1870. But masmuch as Great Britain seeks to impose the provisions of that act upon the United States in the execution of a treaty of many years' anterior date, I do not fail to observe that while by the act Great Britain assumes to require that no surrendered fugitive shall be tried in the country which demands his extradition for "any offence other than the facts on which the surrender is grounded. This does not seem to be wholly reciprocal, and if the United States were disposed to enter into a treaty under this act, it might expect some greater equality of right than a cursory examination of this provision in the act seems to provide. It is quite well known that after the passage of the act of 1870 an effort was made to enter into a treaty with Great Britain, which should enlarge the number of extradition offences and otherwise extend the provisions of the existing treaty. At the out-seen to provide the first burners and otherwise extendition must be adopted and which could be applied to enforce treatics or conventions for extradition, as as the United States and not help rov

able arrangement.

The British government was thus distinctly ned formally advised of the position and of the views of the United States, and no exception thereto has been expressed. A further effort to effect a treaty was made in 1873, after the passage by the British Parliament of an act amending the act of 1870, which resulted in failure for precisely similar reasons.

initiar reasons.

This failure to negotiate a new treaty arcse solely because the United States could not accept as part of it some of the provisions of the act of 1870, and preferred to go on under the treaty of 1842 as theretofore construed and practically carried into effect by each government, and thus we have proceeded up to the present time.

In support of the construction which this govern-

IMPEACHMENT.

CONCLUSION OF THE ARGUMENTS ON THE QUESTION OF JURISDICTION-MANAGER KNOTT ON THE DUTIES OF THE SENATE CLOSING o'clock, when, on motion of Mr. Edmunds, the gal-SPEECH OF JERE. BLACK ON THE PART OF THE DEPENCE-ORDERS OF THE COURT OF IMPEACHMENT. WASHINGTON, May 8, 1876.

Belkpap would resume its session, in accordance with

Proclamation having been made by the Sergeant-at-Arms, and but few Senators being present, Mr. Merri-mon, of North Carolina, moved a call of the Senate, when thirty-nine Senators responded. The proceedings of Saturday's session were read. The respondent, with his counsel, Messrs. Carpenter, Black and Blair, and the Board of Managers being present, Mr. Manager Knott resumed and completed his argument commenced on Friday. He said the line of argument which he had proposed for himself had been so completely covered by his colleagues that little had been left for him to say, except, perhaps, to recapitulate some of the points and to elaborate to some extent a few of the sugges-trons so very ably present d by them, which he pro-

say, except, perhaps, to recapitulate some of the points and to elaborate to some extent a few of the suggestions so very ably present d by them, which he proceeded to do, concleding as follows:—

I am content to leave the question with you, perfectly confident that no large number of right minded people will accuse the house of Representatives of being composed of either fools of trailors for sending it here, or dedounce you for cowardice or corruption, decide how you will. Whatever your decision may be I am satisfied it will be such as to redound to your own credit as jurists and statesman, as well as to the permanent good of our common country. For I have actilitied to the permanent good of our common country. For I have actilitied to the permanent good of our common country. For I have actilitied to the property of the permanent good of our common country. For I have actilitied to the property of the permanent of the presence of the most exalied tribunal known to the constitution of my native land, sitting to determine one of the gravest questions ever submitted to a human court, not for this hour but for all time; not for the individual accused, but for generations yet unborn. I would not therefore, if I could, obscure a single ray of the pure, bright liquit of truth and reason in which this question should be considered. I would not if I could by any undue influence change in the estimation of a har the balance which should be possed here in the firm hand of rigid and impartial justice. I know not that the proceedings of this hour will ever be recorated by the inexorable pen of history, but should it be I trust that the record will be in letters of hving light, permanent and enduring as the rock ribbe hills, that the American Senate, unbiased by personal or party considerations, notefluococid by private sympathy or popular prejudice, ball the sterring virtue to administer the law. In that sentiment I am sure that the very distinguished counsel who is to follow me (Mr. Black) will fully accord; for in his

Judge Black concluded his argument about three

leries were cleared and the Senate went into secret session. At five o'clock the doors were re-opened and the Chair announced that the Senate had agreed upon

At eleven o'clock the Chair announced that the Senate sitting in trial for the impeachment of W. W. Belknap would resume its session, in accordance with the order of saturday last.

Proclamation having been made by the Sergeant at Arms, and but few Senators being present. Mr. Merrit.

The Senate then adjourned.

THE EXPLOSION.

Following the Trail of Suspected Persons.

ORIGIN OF THE STRIKE

A Reward to be Offered by the Railroad Company.

and as the work was nearly finished, but fittle was required. The working employed there all assumed to know much more than they chose to tell as to the cause of the explosion, using sly winks and signs among themselves where words might be indusered. They are believed to have a correct understanding of the case beyond a depht.

marks without coording, so he would close without as Judge Black concluded his argument about the colocity, when, on motion of Mr. Edmunds, the gatherne were cleared and the Senate want into service resistance of the transporter of the content of

"RENDROCK" POWDER.

A PARCEL OF EXPLOSIVES.

officer took the man and the parcel to the station house. On being interrogated he said that almost a year ago a tail man with a dark mustache, who seemed from his appearance to be a mariner, entered his place and called for a glass of beer. When he had paid for the beverage he took from under his arm a paper parcel and left it on the counter, requesting the proprietor to take care or titll his return. The parcel was placed on the uppor shelf of a closet in the barroom and permitted to lie there till this morning, when, on taking it down, the paper was torn, displaying its contents. The memory of the Bergen explosion was ripe in Mr. Kapp's mind, and he resolved the explosives should remain no longer in his house. The police releved him of his dangerous charge and sent the bundle to the Bureau of Combustibles.

POST OFFICE REPORTS.

The report of deliveries and collections in the Post Office by the letter carriers of this city during the month of April includes the following items:—Carriers employed, 429; delivery trips, daily, 8; collection trips, daily, 13: registered letters delivered, 20,289; mail let-ters delivered, 3,795,657; mail postal cards delivered, 1,708,447; local postal cards delivered, 489,690; news-papers, &c., delivered, 722,904; letters returned to the effice, 34,821; letters collected, 4,837,150; postal cards collected, 576,440; nowspapers, &c., collected, 316,752, Total postage on local matter delivered, \$87,591,31; amount paid carriers, \$36,646,63.

MANUAL FOR LETTER CARRIERS.

Postmaster James has compiled a manual of instrue tions for letter carriers, which were formerly verbal, and consequently not considered imperative or oblig-atory. They were published and distributed to the employes yesterday. In addition to the general regu-

A DETECTIVE'S CABLE DESPATCH,

Detective Thomas Sampson, of the New York Stock Detective Thomas Sampson, of the New York Stock Exchange, telegraphs from London, where he is at present looking for the forger Gray, the following despatch to the Stock Exchange Board:—"Louisville officers after Rivers, and Boston officers after Winslow, and self nonplus-eet at turn in affairs. Saturday Review and Pall Mull Gazette sido with us; try and stir up New York papers to press for early settlement. Present condution of things a luxury to rascals and expense to both governments, and ties our hands."

ANTI-USURY MEETING.

The seventh annual meeting of the American Anti-The seventh annual meeting of the American Anti-Usury Society was held at Science Hall yesterday. Mr. Edward Palmer, the President, submitted as the sense of the society propositions declaring interest on money an unrighteous tax on labor and demoralizing in its effects upon both borrowers and lenders. R. W. Hume, E. H. Hevwood, J. K. Ingalls, Stephen Pearl Andrews, Thomas Davis and others took part in the discussion.

RAPID TRANSIT FOR BROOKLYN.

THE ALDERMEN GRANT A CHANGE OF ROUTE TO THE ELEVATED RAILWAY COMPANY.

At the meeting of the Brooklyn Common Council yesterday afternoon the Committee on Railroads, is whom was referred the petition of the Brooklyn Ele vated Railway Company asking permission to operate their road through certain streets and avenues re-ported in layer of granting the desired tranchise. The road is to commence on Water street, near the Faltos ferry, running thence to Pearl street, through Willough by street to Gold street, along the latter street to one unction of Dekalb avenue and Fulton seet, and arous liacomber Square and Dekalb avenue to Grand avenue, thence to Lexington avenue, to Broadway, to the city line. Permission is also given to operate a branch commencing at the junction of Sands and Pearl streets, and thence along Sands to the New York bridge. The franchise also accords permission to cross said bridge.